

104TH CONGRESS  
2D SESSION

# H. R. 4034

To terminate ocean dumping at the Mud Dump Site off the coast of New Jersey.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 1996

Mr. SAXTON (for himself, Mr. GILCHREST, Mr. LoBIONDO, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To terminate ocean dumping at the Mud Dump Site off the coast of New Jersey.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ocean Dumping Ter-  
5 mination Act of 1996”.

6 **SEC. 2. TERMINATION OF OCEAN DUMPING AT THE MUD**  
7 **DUMP SITE OFF THE COAST OF NEW JERSEY.**

8 (a) IMMEDIATE TERMINATION FOR CATEGORY II  
9 DREDGED MATERIAL.—Notwithstanding any provision of  
10 title I of the Marine Protection, Research, and Sanctuaries

1 Act of 1972 (33 U.S.C. 1411 et seq.), any permit issued  
2 under that title, or any other Federal law or permit, on  
3 and after the date of the enactment of this Act—

4 (1) no person shall dump Category II dredged  
5 material into ocean waters at the Mud Dump Site  
6 or transport category II dredged material for the  
7 purposes of dumping it at the Mud Dump Site; and

8 (2) any provision of a Federal permit authoriz-  
9 ing such dumping or transport shall have no force  
10 or effect.

11 (b) TERMINATION FOR ALL MATERIAL.—Notwith-  
12 standing any provision of title I of the Marine Protection,  
13 Research, and Sanctuaries Act of 1972 (33 U.S.C. 1411  
14 et seq.), any permit issued under that title, or any other  
15 Federal law or permit, on and after March 1, 1997—

16 (1) no person shall dump any material into  
17 ocean waters at the Mud Dump Site or transport  
18 any material for the purposes of dumping it at the  
19 Mud Dump Site; and

20 (2) any provision of a Federal permit authoriz-  
21 ing such dumping or transport shall have no force  
22 or effect.

23 (c) NO APPLICATION TO CERTAIN MITIGATION  
24 DUMPING.—Subsections (a) and (b) shall not apply to  
25 dumping or transport of Category I dredged material for

1 purposes of capping or other actions otherwise authorized  
2 under Federal law to mitigate the effects of dumping of  
3 dredged material at the Mud Dump Site.

4 (d) VIOLATIONS.—Any violation of subsection (a)(1)  
5 or (b)(1) shall be treated as a violation of title I of the  
6 Marine Protection, Research, and Sanctuaries Act of 1972  
7 (33 U.S.C. 1411 et seq.).

8 (e) DEFINITIONS.—In this section:

9 (1) TERMS DEFINED IN MARINE PROTECTION,  
10 RESEARCH, AND SANCTUARIES ACT OF 1972.—Any  
11 term that is defined in section 3 of the Marine Pro-  
12 tection, Research, and Sanctuaries Act of 1972 (33  
13 U.S.C. 1402) has the meaning given the term in  
14 that section.

15 (2) CATEGORY I AND CATEGORY II DREDGED  
16 MATERIAL.—Each of the terms “Category I dredged  
17 material” and “Category II dredged material”, re-  
18 spectively, means such material as determined under  
19 guidance issued in 1992 by the United States Army  
20 Corps of Engineers New York District and the Envi-  
21 ronmental Protection Agency Region II for perform-  
22 ing tests on dredged material proposed for ocean  
23 dumping.

24 (3) MUD DUMP SITE.—The term “Mud Dump  
25 Site” means the New York Bight Dredged Material

1 Disposal Site (Mud Dump) designated by part  
2 228.15(d)(6) of title 40, Code of Federal Regula-  
3 tions.

